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Date: October 16, 2003

Sean Mellino

Sean Mellino

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Achim Berthold

Serial No. : 09/743,292 (Conf. No.: 7217)

Filed : March 27, 2001

Title : Transdermal Plaster Containing at Least One Active
Ingredient which Influences Blood Serum Levels

Examiner : Humera N. Sheikh

Art Unit : 1615

Attorney Docket : RO0212US.RCE (#90568)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT TRANSMITTAL

Dear Sir:

Transmitted herewith is an amendment in the above-identified case.

() No additional fee is required.

CLAIMS AS AMENDED								
	Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra		Rate	Addtl. Fee
Total Claims	28	-	20	=	8	x	\$ 18.00	\$144.00
Indep	4	-	3	=	1	x	\$ 84.00	\$84.00

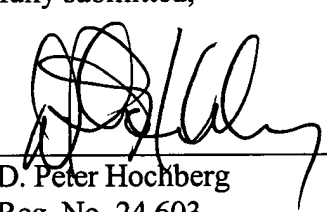
Claims								
SUB TOTAL								\$228.00
SMALL ENTITY ENTITLEMENT MULTIPLICATION FACTOR (50%)								
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT								\$228.00

- If the entry in Column 2 is less than the entry in Column 4, write "0" in Column 6.
-- If the "Highest No. Previously Paid For" in this space is less than 20, write 20 in this space.

- () Small Entity Entitlement Form of record.
() Small Entity Entitlement Form enclosed.
() A credit card payment form is attached in the amount of \$228.00.
(X) Please charge any additional fees to Deposit Account No. 08-2441.
(X) **Refund** directly to the undersigned, **specifically identifying our Docket No. RO0212US.RCE (#90568)**. A duplicate of this sheet is enclosed.

Respectfully submitted,

By: _____


D. Peter Hochberg
Reg. No. 24,603

D. Peter Hochberg Co., L.P.A.
1940 East 6th Street - 6th Floor
Cleveland, Ohio 44114-2294
(216) 771-3800

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/743,292	
	Filing Date	March 27, 2001	
	First Named Inventor	Achim Berthold	
	Group Art Unit	1615	
	Examiner Name	Humera N. Sheikh	
Total Number of Pages in This Submission		Attorney Docket Number	RO0212US.RCE (#90568)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Credit card payment form
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	D. Peter Hochberg; D. Peter Hochberg Co., L.P.A.
Signature	
Date	October 16, 2003

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>October 16, 2003</u>	
Typed or printed name	Sean Mellino
Signature	
Date	October 16, 2003

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Serum Levels

Attorney File : RO0212US.RCE (#90568)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Reply to Office Action Issued July 16, 2003

Dear Sir:

Favorable reconsideration of the above-identified patent application is respectfully requested in view of the following comments. In response to the Office action dated July 16, 2003, the following amendment is being submitted:

10/23/2003 RMEBRAHT 00000157 082441 09743292

01 FC:1201
02 FC:1202

2.00 DA

86.00 OP
142.00 OP